

#23

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Gary S. Hahn and David O. Thueson

Application No.: 09/992,491

Filing Date: November 21, 2001

Examiner: Yu, Gina C.

Art Unit: 1617

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JAN 27 2005  
OFFICE OF PETITIONS

Title: TOPICAL PRODUCT FORMULATIONS CONTAINING STRONTIUM FOR  
REDUCING SKIN IRRITATION

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, enclosed please find a completed Form PTO/SB/08A (five pages) and related documentation. Also, please take note of the following co-pending U.S. patent applications, which are assigned to the same assignee as the above-referenced patent application:

<u>Inventor(s)</u>	<u>Application Number</u>	<u>Filing Date</u>
Hahn et al.	09/400,757	September 21, 1999
Hahn et al.	10/189,344	July 3, 2002

As these applications are available through the Patent Office's PAIR system in Image File Wrapper format, no copy is enclosed in accordance with the Patent Office's Official Gazette notice dated September 23, 2004.

There are several foreign patent documents listed in the attached Form PTO/SB/08A. Copies of each are enclosed. Note that, per the European Patent Office, WO96/19183 is the official publication of EP 0 801 554 A1 according to Article 158 of the EPC.

Included within the attached list are foreign language documents FR 2047885 and FR 2361904. As FR 2047885 and FR 2361904 are not published in the English language, the corresponding Supplemental European Search Report where those

documents were cited against an application assigned to the present assignee is included. For reference, "Supp. EP Search" is included in the column denoted "Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear."

In the accompanying Form PTO/SB/08A, one asterisk in the column denoted "Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear" is used in conjunction with the actual document number that was cited by a foreign patent office, and which triggered inclusion in the Information Disclosure Statement of the corresponding English-language family member set forth in the same line of the Form PTO/SB/08A. A copy of that foreign patent document is also included. In addition, an English-language translation of the Japanese Office Action in which the foreign patent document was cited is also provided.

In the accompanying Form PTO/SB/08A, two asterisks in the column denoted "Document Number" mean that an English-language equivalent family member is not available for the listed document. However, an English-language translation of the Japanese Office Action in which those documents were cited is provided as well as an English-language abstract. Hence, the term "Office Action" is included in the column denoted "Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear."

In the accompanying Form PTO/SB/08A, three asterisks after JP-A-11/502504 in the column denoted "Document Number" means that WO96/19183 is an English-language equivalent family member available for the listed document. Similarly, four asterisks after JP-A-06/080544 means that EP 0 559 262 A1 is an English-language equivalent family member available for the listed document. EP 0 559 262 A1 was previously considered by the Patent Office. Nevertheless, copies of both of those English-language documents are included with this submission. In addition, an English-language translation of the Japanese Office Action in which the Japanese patent documents listed were cited is also provided. Hence, the term "Office Action" is included in the column denoted "Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear" for each document.

As this submission is being filed after a first Office Action on the merits, but prior to close of prosecution, enclosed is a Form PTO-2038, authorizing the Patent Office to

Information Disclosure Statement

Application No. 09/992,491

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charge the required fee of \$180 as required by 37 C.F.R. §1.97(c) to the designated credit card. It is believed that no additional fee is due in conjunction with this Information Disclosure Statement. However, if any fee should become payable, or credit due, please charge or credit the same to Deposit Account No. 50-2785.

Consideration of this information and return of an initialed copy of the attached Forms PTO/SB/08A and PTO/SB/08B is respectfully requested.

Respectfully Submitted,

Date: 1-18-05

By: *Lisa M. Griffith*  
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Reg. No. 41,185

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PTO/SB/08A (08-03)

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 5**Complete if Known**

Application Number	09/992,491
Filing Date	November 21, 2001
First Named Inventor	Gary S. Hahn
Art Unit	1617
Examiner Name	Yu, Gina C.
Attorney Docket Number	Sensory 0003.CON3

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 4,302,443	11-24-1981	deNavarre et al.	
		US- 4,320,114	03-16-1982	Denzinger et al.	
		US- 5,053,219	10-01-1991	Giddey et al.	
		US- 5,098,716	03-24-1992	Embro	
		US- 5,126,135	06-30-1992	Yamada et al.	
		US- 5,476,647	12-19-1995	Chow et al.	
		US- 5,624,415	04-29-1997	Cormier et al.	
		US- 5,656,280	08-12-1997	Herb et al.	
		US- 5,662,941	09-02-1997	Bourbon et al.	
		US- _____	_____	_____	
		US- 5,709,849	01-20-1998	Ito et al.	
		US- 6,319,850	11-20-2001	Chang et al.	
		US- 6,455,076	09-24-2002	Hahn et al.	
		US- _____	_____	_____	
		US- 2003/0031727-A1	02-13-2003	Hahn et al.	
		US- 5,348,733	09-29-1994	Morishima et al.	JP-A-05/124941*
		US- 4,363,794	12-14-1982	Ochiai et al.	JP-A-54/059339*
		US- _____	_____	_____	
		US- _____	_____	_____	

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**OFFICE OF PETITIONS****FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		EP-0354447-A2	02-14-1990	Procter&Gamble		
		EP-0801554-A1	10-22-1997	Cosmederm Tech.		
		EP-1136065-A1	09-26-2001	Cosmederm Tech.		
		FR-2047885	03-19-1971	Sherwin et al.	Supp. EP Search	
		FR-2361904	03-17-1978	D. Culibrik	Supp. EP Search	
		EP-0346957-A1	12-20-1989	Unilever	JP-A-02/022216*	

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Sheet	2	of	5
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***(Use as many sheets as necessary)***

Sheet 2 of 5

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Examiner Name	Yu, Gina C.
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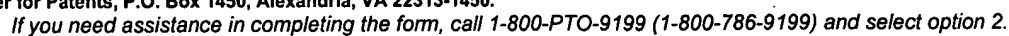
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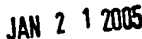
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		Country Code <sup>3</sup> *Number <sup>4</sup> *Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			
		JP-A-02/157210**	06-18-1990	N/A	Office Action	
		EP-0311260-A2	04-12-1989	Procter&Gamble	JP-A-02/184617*	
		EP-0390456-A2	10-03-1990	Beecham Group	JP-A-03/007215*	
		JP-A-07/267869**	10-17-1995	Biener Hans	Office Action	
		JP-A-07/267870**	10-17-1995	Biener Hans	Office Action	
		JP-A-11/502504***	03-02-1999	Cosmederm Tech.	Office Action	

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Sheet 4 of 5

## U. S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

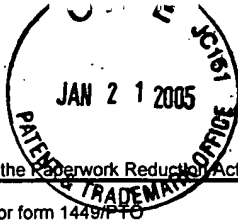
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		JP-A-06/080544****	03-22-1994	Unilever PLC	Office Action	

Examiner Signature		Date Considered	
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		Examiner Name	Yu, Gina C.
Sheet <b>5</b>	of <b>5</b>	Attorney Docket Number	Sensory 0003.CON3 <b>OFFICE OF PETITIONS</b>

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		BLACOW et al. (Ed.), Martindale: The Extra Pharmacopoeia, 1972, pp. 241 and 1699, 26th Ed., The Pharmaceutical Press, London.	
		BUDAVARI et al. (Ed.), The Merck Index, 1989, pp. 54, 320, and 1394, 11th Ed., Merck & Co., Inc., USA.	
		SCHAFER et al., "Tin - A Toxic Heavy Metal?", Regulatory Toxicology and Pharmacology, 1984, pp. 57-69, Vol. 4, Academic Press, Inc., USA.	
		SKOVEN et al., "Lithium Compound Treatment and Psoriasis," Archives of Dermatology, 1979, pp. 1185-87, Vol. 115, No. 10, American Medical Association, USA.	

Examiner Signature		Date Considered	
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